

REMARKS

Applicant respectfully requests allowance of the subject application.

Claims 1-42 are pending.

In view of the following remarks, Applicant respectfully requests that the rejections be withdrawn and the application be forwarded along to issuance

§§ 102(b) Rejection

Claims 1-42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Printed Patent Application No. 2003/0028488 to Mohammed et al. (hereinafter "Mohammed"). The Applicant respectfully disagrees.

Claim 1 recites a method comprising:

- forming a request by a client to access encrypted content, wherein:
 - the request includes a persistent license for communication to a licensing server; and
 - the persistent license includes a key that is encrypted such that the key is not accessible by the client; and
- receiving a license in response to the request, wherein the received license includes the key that is:
 - accessible by the client; and
 - for accessing the encrypted content.

It is respectfully submitted that Mohammed does not disclose these features.

Beginning at page 8 of the subject application, an exemplary use of a persistent license is described. The persistent license of the client includes a key that may be used to access encrypted content, but the key is encrypted such that the client may not access the key. The persistent license, however, may be

1 decrypted by a licensing server to obtain the included key. Therefore, when the
2 client desires access to stored content, the client communicates the persistent
3 license to the licensing server.

4 The licensing server may then verify access rights of the client. If the client
5 has rights to the content, the licensing server communicates a license that includes
6 the key from the persistent license such that the client may access the content. In
7 an implementation, the client may utilize the key to decrypt the content directly,
8 i.e. the key is utilized to decrypt the content. In another implementation, the client
9 may utilize the key to decrypt a content license to obtain a content key, which is
10 then utilized to decrypt the content. In either case, the key used to access the
11 content is included in the persistent license and communicated to the licensing
12 service.
13

14 Mohammed, on the other hand, does not show the communication of an
15 encrypted key from the client, which is then decrypted by the licensing server and
16 communicated back to the client to access the content. Therefore, it is respectfully
17 submitted that Claim 1 is allowable and withdrawal of the rejection is respectfully
18 requested.
19

20 **Claims 2-10** depend either directly or indirectly from claim 1 and are
21 allowable as depending from an allowable base claim. These claims are also
22 allowable for their own recited features which, in combination with those recited
23 in claim 1, are neither shown nor suggested in the references of record, either
24 singly or in combination with one another.
25

1 **Claim 11** is allowable based on similar reasoning previously mentioned
2 with respect to claim 1. In particular, Claim 11 recites receipt of a persistent
3 license at the client, in which, “the persistent license includes a key that is
4 encrypted”, “the key, when decrypted, provides access to the encrypted content”,
5 “the key is configured to be decrypted by the licensing server”, and “the client is
6 not configured to decrypt the key from the persistent license”. Therefore, it is
7 respectfully submitted that Claim 11 is allowable and withdrawal of the rejection
8 is respectfully requested.
9

10 **Claims 12-16** depend either directly or indirectly from claim 11 and are
11 allowable as depending from an allowable base claim. These claims are also
12 allowable for their own recited features which, in combination with those recited
13 in claim 11, are neither shown nor suggested in the references of record, either
14 singly or in combination with one another.
15

16 **Claim 17** is allowable based on similar reasoning previously mentioned
17 with respect to claim 1. In particular, Claim 17 recites “receiving a persistent
18 license in response to the request, wherein the persistent license includes a
19 boundary key”, “forming a second request to access the encrypted content,
20 wherein the second request includes the persistent license”, “sending the second
21 request to the licensing server” and “receiving a boundary license in response to
22 the second request, wherein the boundary license includes the boundary key”.
23 Therefore, it is respectfully submitted that Claim 17 is allowable and withdrawal
24 of the rejection is respectfully requested.
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1 **Claims 18-22** depend either directly or indirectly from claim 17 and are
2 allowable as depending from an allowable base claim. These claims are also
3 allowable for their own recited features which, in combination with those recited
4 in claim 17, are neither shown nor suggested in the references of record, either
5 singly or in combination with one another.

6 **Claim 23** is allowable based on similar reasoning previously mentioned
7 with respect to claim 1. In particular, Claim 23 recites “a persistent license
8 including a key that is encrypted” and “a playback application that is executable
9 on the processor to: form a request to access encrypted content, wherein the
10 request: is for communication to a licensing server; and includes the persistent
11 license; receive a response to the request that includes the key; and access the
12 encrypted content utilizing the key.” Therefore, it is respectfully submitted that
13 Claim 23 is allowable and withdrawal of the rejection is respectfully requested.
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15 **Claims 24-32** depend either directly or indirectly from claim 23 and are
16 allowable as depending from an allowable base claim. These claims are also
17 allowable for their own recited features which, in combination with those recited
18 in claim 23, are neither shown nor suggested in the references of record, either
19 singly or in combination with one another.
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21 **Claim 33** is allowable based on similar reasoning previously mentioned
22 with respect to claim 1. In particular, Claim 33 recites “a persistent license having
23 a key that is encrypted” and “a playback application that is executable to: form a
24 request to access encrypted content, wherein the request includes the persistent
25

1 license; receive a response to the request that includes the key; and access the
2 encrypted content utilizing the key". Therefore, it is respectfully submitted that
3 Claim 33 is allowable and withdrawal of the rejection is respectfully requested.

4 **Claims 34-42** depend either directly or indirectly from claim 33 and are
5 allowable as depending from an allowable base claim. These claims are also
6 allowable for their own recited features which, in combination with those recited
7 in claim 33, are neither shown nor suggested in the references of record, either
8 singly or in combination with one another.

10
11 **Conclusion**

12 All of the claims are in condition for allowance. Accordingly, Applicant
13 requests a Notice of Allowability be issued forthwith. If the Office's next
14 anticipated action is to be anything other than issuance of a Notice of Allowability,
15 Applicant respectfully requests a telephone call for the purpose of scheduling an
16 interview.

17
18 Respectfully Submitted,

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20 Dated: 6/4/6

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